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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
MINH DANG,)
)
Defendant.)

No. CR 07-0641 SI

[PROPOSED] ORDER DOCUMENTING
EXCLUSION OF TIME

With the agreement of the parties in open court on November 9, 2007, and with the consent of the defendant Minh Dang ("defendant"), the Court enters this order (1) setting a hearing on December 7, 2007 at 11:00 a.m. and (2) documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from November 9, 2007 to December 7, 2007. The Court finds and holds, as follows:

1. The defendant made his initial appearance before this Court on November 9, 2007. Counsel advised the Court on that date that the government had produced several hundred pages of discovery and would be producing additional discovery in the near future. Counsel for the defendant needs time to review the discovery and to investigate the case. Continuing the case until December 7, 2007 will give the defendant

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1 an opportunity to accomplish this objective. Defense counsel will also be out of the
2 office and unavailable for one week between November 9, 2007 and December 7, 2007.

3 2. The Court finds that, taking into the account the public interest in the
4 prompt disposition of criminal cases, granting the continuance until December 7, 2007 is
5 necessary for effective preparation of defense counsel and for continuity of defense
6 counsel. See 18 U.S.C. § 3161(h)(8)(B)(iv). Given these circumstances, the Court finds
7 that the ends of justice served by excluding the period from November 9, 2007 to
8 December 7, 2007 outweigh the best interest of the public and the defendant in a speedy
9 trial. Id. § 3161(h)(8)(A).

10 3. Accordingly, and with the consent of the defendant, the Court (1) sets a
11 hearing for December 7, 2007 at 11:00 a.m. and (2) orders that the period from November
12 9, 2007 to December 7, 2007 be excluded from Speedy Trial Act calculations under 18
13 U.S.C. § 3161(h)(8)(A) & (B)(iv).

14 SO STIPULATED.

15 DATED: November 15, 2007

SCOTT N. SCHOOLS
United States Attorney

16
17 /s/
18 _____
KYLE F. WALDINGER
Assistant United States Attorney

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20 SO STIPULATED.

21 DATED: November 15, 2007

22 /s/
STEVEN G. KALAR
Attorney for defendant Minh Dang

23 IT IS SO ORDERED.

24 DATED:

25 _____
SUSAN ILLSTON
United States District Judge